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Letter dated 10 July 2007 from the Permanent Representative of Serbia to the United Nations addressed to the Secretary-General

I have the honour to forward herewith the comments of the Republic of Serbia on the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2007/395) (see annex I) and the chronology of the atrocities committed against Serbs in Kosovo and Metohija from March 2005 to July 2007 (see annex II).

I would be grateful if you would have the present letter and its annexes circulated as a document of the Security Council.

(*Signed*) Pavle **Jevremovic**

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Annex I to the letter dated 10 July 2007 from the Permanent Representative of Serbia to the United Nations addressed to the Secretary-General

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2007/395): comments of the Republic of Serbia

The Report of the Special Representative of the Secretary-General of the United Nations for Kosovo covering the period from 19 February to 1 June 2007 appears to be made as a promotion exercise for the Mission's own position: it accentuates positive achievements and ignores the Mission's shortcomings and contentious issues that make the situation in the field unbearable for the Serbs and other non-Albanians. The Report, therefore, like the two previous ones, is dismissive of the isolation, economic discrimination and the fear of violence and maltreatment that, as part of low-intensity terror, are permanently resorted to by the majority Albanian population in an effort to drive the Serbs out of the Province and take over the Serbian territory.

The goal of establishing a multiethnic society in Kosovo and Metohija is far from being achieved and the proclaimed equality of ethnic communities is non-existent. The majority, Albanian, community enjoys full freedom, while non-Albanian communities are being increasingly ghettoized. A sad example, as well as a telling piece of evidence of the situation, is the number of Serbs in Priština which once stood at 40,000 and now stands at 87. This situation is misrepresented as evidence of the existence of differences and is used as an argument that a multiethnic society is being established in Kosovo and Metohija.

There are no returns. For seven years now, non-Albanians have not been coming back, despite a large number of IDPs (200,000) and internal IDPs (18,000). The main obstacles are:

1. Lack of personal safety and property security;
2. Lack of freedom of movement;
3. Lengthy administrative procedures which include obtaining agreement from local Albanian communities, balance programmes etc.;
4. Lack of financial resources and years-long wait for funds for return projects already approved;
5. Ethnic employment discrimination in communities in which jobs are available and lack of security in tending fields and/or harvesting forests;
6. Unavailability of public service jobs;
7. Failure to decentralize government;
8. Lack of trust in the Provisional Institutions of Self-Government (PISGs); and
9. Ineffective UNMIK administration.

If indeed progress has been achieved in the freedom of movement and respect for human rights, why are walls being built around churches and monasteries and sites of Serbian cultural heritage? Besides, the sites are being given a new and

erroneous name "Kosovo cultural heritage" in which way they are being denied Serbian origin and appurtenance to the Serbian people.

It is stated in the Report that the non-Albanian population does not participate in PISGs. Perhaps it only goes to prove that, after all, non-Albanians were in fact assigned a decorative role in the once benevolent effort to find a just solution for the question of Kosovo and Metohija.

It is contended in the Report that "lack of [...] access to international loans" continues to hamper the Kosovo and Metohija economy. This contention is inaccurate since international financial institutions are present in Kosovo and Metohija. Besides, the offer of Serbia to open a separate account in the Central Bank of Serbia to facilitate the transactions between the international financial institutions and the Provincial Government, although never accepted, is still on the table.

The Report goes on to say that progress has been achieved in privatization. No mention is made, however, that the forcible privatization has damaged the interests of the State of Serbia, Serbian companies and the citizens of Serbia other than ethnic Albanians and that indeed their property rights have been annulled by the privatization. As many as 20,000 private property complaints have been filed, while numerous forged documents alleging claims to the property of Serbs and other non-Albanians circulate in Kosovo and Metohija. It is also stated in the Report that various laws have been drafted or adopted. It may be so, but the laws are enacted by the will of one ethnic group alone motivated by the drive to secede from the State of Serbia.

The Report does say that UNSC resolution 1244 has not been implemented in its basic parts. It does not say, however, that the UNMIK-FRY Common Document of November 2001 is not being implemented and that the work of working groups on kidnapped and missing persons, on returns, energy, transport and telecommunications has been perfunctory and brought no results. Some results, though, have been achieved by the technical subgroup for returns, but they have not been implemented and are not mentioned in the Report.

Because of its bias and partiality, the Report makes no contribution to the establishment of a multiethnic society, respect for human rights, implementation of United Nations documents and decisions or to reconciliation and normalization of the situation in Kosovo and Metohija. It also does not help create a proper atmosphere for the resumption of negotiations and a genuine quest for a joint and just solution to the status of Kosovo and Metohija which is possible to attain only through direct dialogue between Belgrade and Priština.

Contrary to the routine, selective and bureaucratic Report, we have had genuine accounts of the situation in the field by many eminent officials who have served in high positions in the Province. One account was recently presented by General Fabio Minni of Italy and was followed by longest-serving British Labour Minister Michael Meacher (1997-2003) and Australian diplomat, politician and university professor Gregory Clark. In its issue of 2 July 2007, *The Japan Times* carried Professor Clark's article *Serbia Owed Justice in Kosovo* in which he criticized the current policy of international institutions in Kosovo and Metohija in a very documented way.

Many sources reveal that the situation in Kosovo and Metohija, in particular the situation within the Albanian ethnic community, is plagued by a profound

structural crisis. The situation is characterized by an economy dependent on international donations and workers' remittances from abroad, a 60 per cent unemployment rate, endemic disrespect for law, social repression and militarization, a culture of fear, intolerance, aggression, inter-ethnic hatred, ghettoization of minority groups and systematic violence against them and a pervading lack of perspective among the young generation, in particular.

The situation calls for a complex approach. Only by addressing the crisis in a balanced and pro-active way can an effective, long-term and sustainable solution be achieved. However, the activities that purport to aim at finding a just solution for the Kosovo and Metohija crisis tend to unfurl under the banner of the simplistic fundamentalist programme of *Independent Kosovo or War*. Oftentimes, the staunchest advocates of this irresponsible and morally untenable programme of blackmail are local, as well as regional and global actors and stakeholders.

Annex II to the letter dated 10 July 2007 from the Permanent Representative of Serbia to the United Nations addressed to the Secretary-General

Chronology of the atrocities committed against Serbs in Kosovo and Metohija from March 2005 to July 2007

28 March 2005: Nedeljko, 81, and Nevenka, 68, Vučić were attacked and beaten by unknown persons in the village of Crkolez, Municipality of Istok, in front of their home at 7.00 a.m. They sustained heavy bodily harm.

10 May 2005: Milenko Vulić, 62, was beaten in front of his home in the village of Devet Jugovića, near Obilić.

The same day, unknown persons fired shots at passenger cars ferrying 3 Serbian youths in the village of Donja Brnjica. The house of Danko Marinković was dynamited in the village of Klokot.

17 August 2005: Unknown persons beat Miodrag Mitić, 70, from the village of Livađe near Lipljan as he tended his herd near the Priština-Skopje motorway.

27 August 2005: Ivan Dejanović from Prilužje and Aleksandar Stanković from Konjuh, Municipality of Lipljan, born at Suvi Do, were killed in the village of Brnjica on the Priština-Štrpce road at midnight. Nikola Dukić and Aleksandar Janićijević, travelling with Dejanović and Stanković to Štrpce in the same vehicle, were wounded.

9 September 2005: Saša Durlević, member of the KPC, hit with 2 bullets near Štrpce about midnight. Durlević and 2 other Serbian members of the KPC were ambushed in their vehicle.

28 September 2005: Dejan Janković, KPC regional commander, was shot and wounded in an official vehicle by unknown persons on the Priština-Štrpce road at 5.45 p.m.

4 November 2005: Attempt to kidnap Milena Krstić, 15, from Ugljare. 2 attackers, most probably Albanians, carried out the attempt in front of her home at about 7.30 p.m. Milena was on her way to a local store when she was stopped by 2 unknown men in a white motor vehicle with KS (Kosovo) licence plates. One of the men tried to pull her into the vehicle, but the girl managed to run away.

11 November 2005: Ilija Petronijević was shot at in his courtyard at Suvi Do, near northern Kosovska Mitrovica, at about 1.20 a.m. 10 rounds were fired but Petronijević was not injured.

30 November 2005: Dragan Jovanović, 18, was wounded at Sušica near Gračanica at 2.00 p.m. on his way to school library. Unknown persons shot and wounded Dragan in the left arm from a moving vehicle.

26 December 2005: Branislav Antović, 35, and Dejan Maksimović, 24, were seriously wounded in 2 separate attacks in northern Kosovska Mitrovica. Antović, worker of Water Supply company, was shot in the town centre at about 2.00 a.m. on his way home from work. Maksimović was wounded somewhat later in his bed as attackers jumped onto his balcony and opened fire. Maksimović was wounded in the arm.

23 January 2006: A bomb was thrown into the courtyard of the family house of Vice-Chairman of the Coordination Centre for Kosovo and Metohija of the Republic of Serbia Milorad Todorović in the village of Cernica near Gnjilane. Only Todorović's father was inside the house at the time of the attack.

6 February 2006: Nebojša Kragović and Mirko Jeftić were attacked and beaten with sticks by a group of Albanians at Suvi Do near Kosovska Mitrovica at about 8.00 p.m.

14 February 2006: Slobodanka Kompirović, 63, was strangled in her apartment in northern Kosovska Mitrovica at about 9.30 p.m.

5 March 2006: Unknown persons fired several shots at a vehicle ferrying 3 Serbs on the Staro Gradsko-Lipljan road at about 7.30 p.m. but no injuries were reported. A priest and his wife and daughter were in the vehicle; they took refuge in the local police station after the attack.

15 March 2006: 3 Albanian youths desecrated the Serbian church and the adjacent cemetery in the village of Varoš, Municipality of Uroševac. They smashed the church windows and damaged several tombstones in the evening hours. The KPC identified the youths, apprehended and interrogated them, whereafter they were released.

17 March 2006: Garbage was dumped at the entrance into the Serbian Orthodox cemetery and on the road leading to the returnee village of Belo Polje near Peć.

28 March 2006: Milisav Ilinčić, 19, was attacked while with his date and wounded with a knife by 3 Albanians on the main bridge over the Ibar in full view of the KPC.

4 April 2006: Automatic fire was opened at the house of Čedomir Ivković by unknown persons in the village of Straža near Gnjilane at about 2.30 a.m. No injuries were reported, but the house was damaged.

11 April 2006: Unknown persons stole a tractor from Ognjen Kovačević from the village of Banje, Municipality of Srbica, as Kovačević and his family were asleep inside the house. At about 3.00 a.m. they cut the chain the tractor had been fastened with and drove it towards Drenica and other Albanian villages.

Albanians have stolen 20 cows and 5 tractors from the Serbs in the last 5 years at Banje and none of them has been found by UNMIK and the KPC yet.

15 April 2006: Incendiary devices were thrown at the house of the Bojić family at Bošnjačka mahala at about midnight. No injuries were reported.

The same day, unknown persons broke into the Church of St. Petka in the village of Gojbulja, Municipality of Vučitrn, and damaged its interior. On their way back from cemetery, a group of young villagers set about to tidy up the church yard and saw that the church door was broken and the chandelier and the icon of St. Mary and the photo of Bishop Artemije were smashed.

17 April 2006: Garbage was dumped again at the entrance into the Serbian Orthodox cemetery and on the road leading to Belo Polje.

26 April 2006: At about 1.30 a.m. a bomb was thrown from a moving vehicle at the building at Zubin Potok housing municipal, UNMIK and police courts. The

windows of the UNMIK court and the surrounding buildings were broken in the explosion, but no injuries were reported.

1 May 2006: In the early morning hours a number of unknown persons attempted to steal cattle from Serbs in the returnee village of Osojane. The attempt failed and the thieves fled as Serbs rallied to protect their property and even fired from a licensed hunting rifle.

The same day unknown persons broke the window on a Serbian store in the village Prilužje, Municipality of Vučitrn.

2 May 2006: In the ethnically mixed village of Podgorce, 2 Serbian women reported the theft of building material prepared for the renovation of their houses.

3 May 2006: Unknown persons broke into the stable of a Serb in the village of Paralovo near Gnjilane and stole 2 cows.

The same day the house of a Serbian woman was broken into and ransacked.

Unknown persons stole 2 cows and a tractor from a Serbian family in the village of Suvi Do. The theft was reported to the KPC, but despite clear evidence leading to the neighbouring Albanian village, the police took no action.

4 May 2006: 2 Serbs, whose identity has not been disclosed by the KPC, reported that their apartments in the predominantly Albanian part of Prizren had been broken into and squatted.

5 May 2006: A bomb was thrown at a *Water Supply* substation in northern Kosovska Mitrovica at about 10.00 p.m. The guards had been at the other end of the substation at the time of the attack and no injuries and damage were reported.

6 May 2006: At about 8.45 p.m. unknown persons planted an explosive device at the mineral water wells at the village of Klokot, Municipality of Vitina, located only 50 m from a KPC checkpoint. No damage was reported, but the concern of the local Serbian population was considerable.

At about 10.00 p.m. unknown persons opened fire at Srđan Stanković, archpriest of the Raška-Prizren Eparchy, his wife and 2 underage children. A *Volkswagen Golf* intercepted the archpriest's vehicle at Dudin krš near the Sokoloca Monastery exit on the Kosovska Mitrovica-Priština motorway and opened fire at it. No injuries were reported and the KPC found one bullet which had entered the vehicle and ended in the spare tyre. The UNMIK police reported, however, that two clips had been found at the place of the incident.

8 May 2006: Having poisoned guard dogs a night before, unknown persons stole a tractor from the returnee family of Milorad Dubić.

Also, a tractor was stolen from a returnee family in the village of Bič̆a, Municipality of Klina, and electricity meters were removed from 4 other returnee houses.

9 May 2006: At about 10.30 a.m. a UN bus ferrying about 30 Serbs, including women and children, from the village of Osojane to Kosovska Mitrovica was stoned near the Albanian village of Rudnik. No injuries were reported, but the bus was damaged considerably.

4 tractors and 7 cows were stolen from the returnee Serbs in the villages of Suvi Lukavac, Tučep and Osojane in the preceding week.

11 May 2006: Jablan Jeftić, 20, and Jovan Milošević, 19, petrol pump attendants, were gravely wounded in an armed attack on a petrol station near Zvečan carried out by a single attacker who wore a balaclava.

12 May 2006: The UN bus ferrying Serbian returnees on the Osojane-northern Kosovska Mitrovica line was stoned second time in the same week by a group of young Albanians at the Albanian village of Rudnik even though it had UNMIK and KPC escort. No injuries were reported, but the bus windows were broken.

The bells of the Church of St. Elijah at Podujevo were stolen and the Church, desecrated in the 17 March 2004 Albanian rioting, was broken into and desecrated again. The bells were subsequently found by members of the Czech KFOR.

16 May 2006: At about 3.00 a.m. the store of Tihomir Belošević at Leposavić was shelled from a Zolja mortar. No injuries were reported, but material damage was extensive. The windows at the Town Hall and other adjacent buildings were shattered.

19 May 2006: At about 10.00 p.m. Albanian Basri Hajdari shot at 2 Serbian security guards at the building site in Ulica oslobođenja bb at Bošnjačka mahala in northern Kosovska Mitrovica. There were no injuries, but the co-owner of Security, the company whose workers provided security that night tussled with an Albanian from a group that gathered in the wake of the incident.

25 May 2006: At about 10.00 a.m. a group of Albanians stoned a convoy of vehicle of Serbian attorneys escorted by UNMIK police in the village of Mala Kruša on the Đakovica-Prizren road. The incident was caused by the misbelief of the Albanians that Serbian IDPs coming back to inspect their property were in the convoy.

31 May 2006: Unknown persons planted an explosive device under a bridge connecting the Serbian returnee villages of Grabac and Biča in Metohija. The bridge was damaged in the explosion and the residents of the villages suspected that the intention of the perpetrators had been to destroy the bridge a day later when the regular convoy from the two villages was due to leave for Kosovska Mitrovica.

June 2006: Miljan Vesković, 23, from Žitkovac near Zvečan was killed on the Žitkovac-Zvečan road. The crime took place between 3 a.m. and 4 a.m. while Vesković was returning home in his *Volkswagen Golf*, registration plate No. KM 551-64. He pulled up for an obstacle made of tree branches whereupon he was fired at from an ambush. The killer(s) pulled Vesković's body from the vehicle, then drove in it to the village of Grabovac where it was found in the morning. Empty 7.65 mm calibre automatic rifle cartridges were found at the crime scene.

27 July 2006: Taking advantage of a 20-hour power outage in Dragaš and Gora, unknown persons planted an explosive device under the house of former Dragaš deputy police commander Rustem Aguši at the midnight between 27 and 28 July. Although Aguši and his family were asleep inside the house at the time of explosion, they were not injured. Material damage, though, was extensive.

25 September 2006: At about 10.00 p.m. Aleksandar Ćurić, 41, was attacked by several Albanians near the main bridge on the Ibar in the northern part of Kosovska Mitrovica. Ćurić sustained light injuries. The incident occurred after UNMIK reopened the bridge closed on 26 August in the wake of a bomb attack at the Dolce Vita cafe in which 9 persons had been injured, most of them Serbs.

6 October 2006: At about 9.30 a.m. a UN bus ferrying Serbs from Osojane in Metohija to Kosovska Mitrovica was stoned in the village of Rudnik. No injuries were reported.

4 November 2006: Albanians used cars and logs to obstruct the cemetery road in the village of Lešane near Suva Reka and prevent thus the Serbs bused by UNMIK to visit family graves on Orthodox Remembrance Day. When a bus pulled to a halt a firebrand Albanian hit it head-on with a tractor. He was apprehended, but the incident provoked other Albanians to attack the police and the Serbs on the bus.

8 November 2006: Dragan Antić from the village of Poneš, standing in line to collect social benefits payments, was beaten in front of the Reiffeisen bank in downtown Gnjilane.

9 November 2006: At about 8.00 a.m. unknown persons shot and wounded Milorad Šapić, 53, in the courtyard of his father-in-law's house in the village of Letnica near Vitina where he moved in after his own house at Vitina was burned on 17 March 2004. He was taken to hospital and was to be operated to remove a bullet from the head.

14 November 2006: Unknown persons demolished the Church of St. Petka in the village of Gojbulja, Municipality of Vučitrn.

20 November 2006: A group of Albanians stoned a school bus headed to Plemetina and ferrying Serbian and Roma children home after school in downtown Obilić.

2 December 2006: KPC special units stopped Nenad Kapetanović and Miodrag Ristić from Gušterica in the Albanian village of Firaja near Štrpce. They mistreated them and subsequently took them to Uroševac where they beat them. They were released 2 hours later.

8 December 2006: At about 5.30 p.m. a section of the Zvečan-Kosovo Polje railroad near the village of Mijalić, Municipality of Vučitrn, was mined The train with Serbs from Prilužje and Plemetina was stopped at Vučitrn.

10 December 2006: A bus on the Belgrade-Štrpce line was stoned in the village of Doganović 17 km from Štrpce at about 4.30 p.m. There were 30 Serbian passengers on the bus.

29 December 2006: Unknown persons fired shots at the house of Branko Mazić at Klina. No injuries were reported. At the time of the shooting ten minutes after midnight Serbian returnee Vlada Radosavljević and his wife Bosiljka, having been given hospitality, were asleep in the house. During the investigation of the incident, the police found 2 unexploded grenades on the second floor.

17 January 2007: Unknown persons removed part of the lead roof of the Church of St. Nicholas in Priština and broke the windows.

18 January 2007: Vuk Simić and underage M. M. were attacked and robbed near the kindergarten at Gračanica early in the morning. It is suspected that M.M. was raped.

2 February 2007: Milica Delević, 27, was knifed at Bošnjačka mahala in northern Kosovska Mitrovica. She was taken to hospital where she was placed in an intensive care unit after an operation.

10 February 2007: 2 churches were robbed in the Serbian villages of Skulanevo and Lepina, Municipality of Lipljan.

5 March 2007: Unknown persons broke into and desecrated the Serbian Orthodox Church of St. John the Precursor in Peć. The church had been renovated within the programme of renovation of damaged and desecrated Orthodox churches and monasteries in Kosovo and Metohija, sponsored by the Council of Europe.

2 April 2007: At the parking lot of the Municipal Court at Zubin Potok a Molotov cocktail was thrown at a Court vehicle with UNMIK licence plates at about 10.00 p.m. Significant damage to the vehicle was reported.

At about 6.00 p.m. unknown persons broke into the house of the Dejanovac family at Lipljan.

17 April 2007: KFOR special units deactivated a hand grenade planted by unknown persons in the vicinity of the Paskal cafe in the northern part of Kosovska Mitrovica frequented by Serbs.

18 April 2007: The UNMIK police and KPC raided the house of Milan Mirković, director of the Forest Management of the southernmost Serbian municipality of Štrpce, in search for weapon. They did find a hunting rifle for which Mr. Mirković had a proper licence though. During the search, the police treated the members of the family very brutally.

26 April 2007: Ranko Zdravković from Goraždevac was beaten by 2 unidentified A!banians in Peć.

7 May 2007: Residents of the Albanian part of the village of Suvi Do stoned a school bus ferrying Serbian students to Kosovska Mitrovica.

Unknown persons shot at Bojan Bogdanović, 21, in the village of Kokot near Vitina. Bogdanović was not injured.

12 June 2007: At about 5.00 p.m. Vukosava Ivanović, 74, was beaten by an 18-years-old Albanian in Priština.

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Letter dated 10 July 2007 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council

In my capacity as Chairman of the Working Group of the Security Council on Children and Armed Conflict, I have the honour to submit a report on the activities of the Working Group since the submission of my last annual report on 10 July 2006.

I should be grateful if you would have this letter and the enclosed report issued as a document of the Security Council.

(*Signed*) Jean-Marc **de La Sablière**

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Annual report on the activities of the Working Group of the Security Council on Children and Armed Conflict, established pursuant to resolution 1612 (2005) (July 2006-June 2007)

I. Introduction

1. The Security Council adopted on 26 July 2005 resolution 1612 (2005) on children and armed conflict, jointly sponsored by Benin and France.

2. In paragraph 8 of resolution 1612 (2005), the Council decides to establish a working group of the Security Council consisting of all members of the Council to review the reports of the mechanism referred to in paragraph 3 of the resolution, to review progress in the development and implementation of the action plans mentioned in paragraph 7 and to consider other relevant information presented to it; decides further that the working group shall:

(a) Make recommendations to the Council on possible measures to promote the protection of children affected by armed conflict, including through recommendations on appropriate mandates for peacekeeping missions and recommendations with respect to the parties to the conflict;

(b) Address requests, as appropriate, to other bodies within the United Nations system for action to support implementation of the resolution in accordance with their respective mandates.

3. After consultations among the members of the Council, it was agreed that Mr. Jean-Marc de la Sablière, Permanent Representative of France to the United Nations would serve as Chairman of the Working Group (see S/2005/659). The same decision was taken in 2007 (see S/2007/20).

4. The Chairman of the Working Group submitted a report to the Council on the activities of the Group during the year following the adoption of resolution 1612 (2005) (S/2006/497). Since that report, the Working Group has held four formal meetings, on 6 September and 8 November 2006, 9 February and 10 May 2007; it planned to hold a fifth meeting on 19 July 2007. Following each one of those meetings, the Chairman issued brief press statements which are available on the website of the Permanent Mission of France to the United Nations.

II. Institutional developments

5. At its meeting of 2 May 2006, the Working Group entrusted the Chairman with the task of preparing an informal "toolbox" for the Working Group identifying possible types of direct action or recommendations that the Working Group could make to the Council within its mandate. Following extensive consultations, agreement was reached on the non-paper at the meeting of 6 September 2006. It was agreed that the "toolkit" of the Working Group would be issued as a document of the Security Council through the President of the Security Council. That document was issued on 11 September 2006 (S/2006/724). Since then, the Working Group has made extensive use of various provisions in the "toolkit" when adopting conclusions on a variety of situations it has had to consider.

6. At its meeting of 8 November 2006, the Working Group tasked the Chairman with preparing a provisional programme of work for 2007. That provisional programme was considered at the 9 February 2007 meeting and agreement was reached on the text on 16 February 2007. The programme spreads out the Group's work throughout the year. It provides the Secretary-General and members of the Group with a clear indication as to when specific issues would be taken up and allows them to make appropriate arrangements. The work programme is an internal document of the Working Group and copies have been provided to the Secretary-General, his Special Representative for Children and Armed Conflict and the Executive Director of the United Nations Children's Fund (UNICEF) only. However, it has been used to provide advanced information to the missions of the countries concerned whenever the Working Group was preparing to consider a report of the Secretary-General on a situation that directly concerned them.

7. Following the meeting of 10 May 2007, and with the agreement of members of the Working Group, the Chairman held discussions with the Secretariat with a view to having the documents of the Working Group published under a symbol unique to the Working Group. Since then, the principle of creating such a symbol has been agreed. Beginning in July 2007, it should simplify the procedure for the issuance of documents prepared by the Group and enhance transparency by making it easier for all delegations and interested parties to search for documents in the United Nations documentation system.

III. Substantive issues addressed

1. Fifth meeting (6 September 2006)

8. At its fifth meeting on 6 September 2006, the Working Group adopted conclusions with respect to the report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo (S/2006/389). The conclusions were published on 11 September 2006 as document S/2006/724. The Chairman of the Working Group then carried out the tasks entrusted to him in the context of those conclusions, including by drawing the attention of the Security Council to the need to follow up on the recommendations addressed to it.

9. At that meeting, the Group also discussed the report of the Secretary-General on children and armed conflict in the Sudan (S/2006/662). Ms. Coomaraswamy, the Special Representative of the Secretary-General for Children and Armed Conflict, introduced the report of the Secretary-General and recalled its three main conclusions:

(a) The persistence of a serious and unacceptable situation for the children of the Sudan, characterized by the recruitment and use of children by all parties to the conflict, including in the Darfur region;

(b) The particularly high level of sexual violence against children, especially girls, and the need to combat the almost total impunity in that regard;

(c) The specific problems raised by inadequate access of children to health care and protection and by the lack of access by the monitoring mechanism and humanitarian teams to children.

10. The Permanent Representative of the Sudan underlined the readiness of the Government of National Unity to cooperate, noted the complexity of the situation in the country after a protracted civil war, provided information about the measures taken by his Government in the constitutional, legislative and other spheres to protect children, ensuring such measures were taken into account by the Working Group, and insisted on the need to keep discussions on children and armed conflict in the Working Group and ongoing discussions in the Security Council on the situation in the Sudan as separate issues.

11. The main elements of the exchange of views that ensued among the Working Group were as follows:

(a) Members of the Working Group took note of the report submitted by the Secretary-General in accordance with resolution 1612 (2005), and participants in the discussion emphasized its quality;

(b) The participants in the discussion expressed their concern regarding violations cited in the report, such as killing and maiming of children, their recruitment and use as soldiers by many armed forces and groups, grave sexual violence, abductions, and denial of humanitarian access, that continued in the Sudan largely unabated;

(c) Most of the participants called for the adoption of vigorous recommendations in order to improve existing preventive and punitive measures aimed at protecting the rights of the child; end impunity; increase accountability for acts of violence against children committed by members of the military and armed groups; and accelerate the implementation of disarmament, demobilization and reintegration programmes for children;

(d) The Working Group should envisage recommendations that foster cooperation between humanitarian and other international actors and the parties to the conflict, bringing concrete improvements to the situation of children on the ground, including access of services to children;

(e) The Working Group should ensure that, in the course of implementation of the Darfur Peace Agreement, the protection of children, with special attention to the girl child, remains a priority;

(f) Concern was expressed for the lack of humanitarian access, monitoring and assistance to children in several regions of the Sudan;

(g) There was general support for the Secretary-General's intention to send the Special Representative for Children and Armed Conflict on a mission to the Sudan at an appropriate date in the near future;

(h) Some delegations mentioned, during the discussion, that the implementation of Security Council resolution 1706 (2006) would contribute to improving the situation of children affected by armed conflict in the Sudan.

12. Following the discussion, the experts were entrusted with negotiating the Group's draft conclusions to the Council as follow-up to the Secretary-General's report.

13. Ms. Rima Salah, Deputy Executive Director of UNICEF, then introduced the Secretary-General's "horizontal note", drawing attention to the previous summer's tragic events in the Middle East, especially in Lebanon, the Occupied Palestinian

Territories and Israel. She also updated the Group on the situation in the Democratic Republic of the Congo.

14. Lastly, the Special Representative briefed the Group on the status of the report of the Secretary-General on children and armed conflict in Sri Lanka.

2. Sixth meeting (8 November 2006)

15. At its sixth meeting on 8 November 2006, the Working Group adopted its conclusions pertaining to the report of the Secretary-General on children and armed conflict in the Sudan (S/2006/662), which were published on 13 December 2006 as document S/2006/971. The Chairman of the Working Group then carried out the tasks entrusted to him in the context of those conclusions, including by drawing the attention of the Security Council to the need to follow up on the recommendations addressed to it.

16. At that meeting, the Group also discussed the report of the Secretary-General on children and armed conflict in Burundi (S/2006/851). The Special Representative introduced the report and highlighted its main conclusions:

(a) Despite the substantial progress achieved in addressing the grave violations of children's rights, violations were still occurring and the competent authorities had not always conducted criminal investigations nor punished those responsible. Violations of children's rights were mainly attributable to the Parti pour la libération du peuple hutu-Forces nationales de libération (Palipehutu-FNL), the Burundi National Defence Force (FDN), the National Intelligence Service (SNR) and the Burundi National Police;

(b) A Comprehensive Ceasefire Agreement had been signed on 7 September 2006 at Dar-es-Salaam between the Government of Burundi and Agathon Rwasa's Palipehutu-FNL, the last active rebel movement. In implementing the ceasefire agreement and subsequently demobilizing the FNL combatants, priority needed to be given not only to demobilizing children to allow them to be immediately reunited with their families and reintegrated into their communities, but also to releasing the children currently detained by the Government and accused of collaborating with FNL.

17. The Permanent Representative of Burundi explained that his Government's strategy to improve the situation of children had been to focus, after 13 years of conflict that had torn the country apart, on the achievement of a peace agreement with Palipehutu-FNL and on the development of legislation and positive measures for child protection and education; he recognized that progress still had to be made in areas such as the implementation of legal and justice system reform, awareness on the rights of the child, and the fight against impunity. The Government of Burundi was determined to improve the situation, was open to dialogue with the United Nations on child rights, and hoped that the international community would continue to support activities in the field of children's disarmament, demobilization and reintegration.

18. The main elements of the ensuing exchange of views among the Working Group were as follows:

(a) The Secretary-General's analysis and recommendations contained in the report met with a favourable response;

(b) The Chairman summed up the discussion by recognizing that Burundi was at a crucial phase of its transition from conflict to peace. He stated that it was important for the Government of Burundi and the international community to work together to ensure that special attention was given to child protection in the process of demobilization, and that measures were taken to put an end to the culture of impunity.

19. Following the discussion, the experts were entrusted with negotiating the Group's draft conclusions to the Council as follow-up to the Secretary-General's report.

20. At that meeting, the Group also discussed the report of the Secretary-General on children and armed conflict in Côte d'Ivoire (S/2006/835). The Special Representative introduced the report, highlighting its main conclusions:

(a) The report specified the grave violations perpetrated against children in Côte d'Ivoire, particularly the killing and maiming of children, rape or other instances of grave sexual violence, especially against girls, and the abduction of and trafficking in children;

(b) It also highlighted the progress made in dialogue with parties to the conflict and outlined the consequent action plans of the Forces nouvelles and four pro-Government militia groups in western Côte d'Ivoire to end the use of child soldiers and release all children associated with their forces;

(c) It stressed the responsibility of the Government and the Front populaire ivoirien to support the United Nations in the identification and establishment of similar dialogue with all other militia groups;

(d) The report recommended targeted action and measures against parties and individuals that systematically committed grave violations against children and rigorous and timely investigation and prosecution by relevant authorities of incidents of grave violations against children to address the prevailing culture of impunity.

21. The Permanent Representative of Côte d'Ivoire underlined that only non-government forces or pro-government self-defence militias had been involved in the recruitment and use of child soldiers. He agreed on the necessity of further identification of those militias and said that cooperation between them and the National Programme of Disarmament, Demobilization and Reintegration should be encouraged. Côte d'Ivoire would ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict as soon as possible.

22. The main elements of the ensuing exchange of views among the members of the Working Group were as follows:

(a) The report of the Secretary-General and the close engagement of the Special Representative of the Secretary-General, UNICEF and the United Nations Operation in Côte d'Ivoire (UNOCI) with all parties on the ground were welcomed;

(b) Concern was expressed at incidents of grave child rights violations as identified in the Secretary-General's report, including killing, maiming, and the use and abduction of and trafficking in children by parties to armed conflict;

(c) Persistent incidents of rape and other sexual violence against girls was a cause of grave concern;

(d) Grave concern was expressed that these serious violations committed against children were generally not investigated or prosecuted;

(e) The recent commitments made by the Forces nouvelles and several self-defence militias in western Côte d'Ivoire, through the recent signing of action plans to end the recruitment and use of child soldiers, were commended;

(f) The responsibility of the Ivorian authorities to engage other armed groups under their control to enter in a similar dialogue was underlined.

23. Following the discussion, the experts were entrusted with negotiating the Group's draft recommendations to the Council as follow-up to the Secretary-General's report.

24. The Deputy Executive Director of UNICEF then introduced the Secretary-General's "horizontal note", drawing attention to the situation in the Democratic Republic of the Congo, the Sudan and Sri Lanka:

(a) In the Democratic Republic of the Congo, a large number of children associated with the armed forces remained inaccessible and could not benefit from the national disarmament, demobilization and reintegration programme. There were continuing reports of harassment and threats against children who were formerly in the armed forces by members of the Armed Forces of the Democratic Republic of the Congo (FARDC). It was reported that an increasing number of children were returning to the transition centres because they feared that they might be recruited, arrested, harassed or extorted;

(b) In the Sudan, the deterioration of security situation in Darfur hampered surveillance activities. Violations committed included the killing and mutilation of children, the recruitment and use of child soldiers, grave sexual violence, attacks on hospitals and schools and denial of humanitarian access;

(c) In Sri Lanka, fighting in the north and east of the country had caused massive human displacement. The Karuna faction of the Liberation Tigers of Tamil Eelam continued to recruit many children.

3. Seventh meeting (9 February 2007)

25. At its seventh meeting on 9 February 2007, the Working Group adopted its conclusions pertaining to the reports of the Secretary-General on children and armed conflict in Burundi (S/2006/851) and in Côte d'Ivoire (S/2006/835). Those conclusions were published on 15 February 2007 as documents S/2007/92 and S/2007/93, respectively. The Chairman of the Working Group then carried out the tasks entrusted to him in the context of those conclusions, including by drawing the attention of the Security Council to the need to follow up on the recommendations addressed to it.

26. At that meeting, the Group also discussed the Secretary-General's report on children and armed conflict in Nepal (S/2006/1007).

27. The Special Representative introduced the report of the Secretary-General on children and armed conflict in Nepal, highlighting its main conclusions:

(a) Although there had been a remarkable improvement in the situation of children in Nepal since the signing of the Comprehensive Peace Agreement between the Government and the Communist Party of Nepal-Maoist (CPN-M) in November 2006, the continuing recruitment of children by CPN-M throughout the country was a serious source of concern. Some 40 per cent of those fresh recruits were girls. Schools continued to be targeted while the abductions continued;

(b) The resolution 1612 (2005) mechanism ensured compliance by the parties to the Comprehensive Peace Agreement of their commitments towards children. The United Nations teams, together with the parties to the Agreement, also contributed to the reintegration of child soldiers;

(c) The parties and the international community also had the duty to remove the antipersonnel mines that continued to directly threaten the lives of children.

28. The Permanent Representative of Nepal underlined that most of the reported violations tended to relate to the situation in Nepal before the conclusion of the Comprehensive Peace Agreement. His Government generally favoured recommendations that included provisions for the protection of children in all phases of the peace process; an immediate end to the practice of recruiting and using children; the return of children to their families; ridding schools and hospitals of any activity that hampered the welfare of children; the reform of the juvenile justice system; the granting of unimpeded access to all human rights and humanitarian personnel working for children's welfare; and increased cooperation and coordination with United Nations and other agencies for the welfare of children affected by the armed conflict in Nepal. He underlined the recent agreement between CPN-M and the United Nations Mission in Nepal (UNMIN) that no children under the age of 18 would be registered as soldiers during the process of cantonment of CPN-M combatants and stressed the importance of aligning the recommendations of the Working Group with the peace process.

29. The main elements of the ensuing exchange of views among the members of the Working Group were as follows:

(a) Members welcomed the submission of the report pursuant to Security Council resolution 1612 (2005) and the recommendations contained therein;

(b) Grave concern was expressed that the recruitment and use, as well as the abduction, of children by CPN-M had continued even after the signing of the Comprehensive Peace Agreement by the Government of Nepal and CPN-M on 21 November 2006;

(c) Particular concern was expressed regarding the situation of the girl child, since in the most recent recruitments some 40 per cent of the new recruits appeared to be girls;

(d) Measures to combat impunity were essential. In this regard, some Member States mentioned the need to bring to account those responsible for the torture and death of Maina Sunuwar. The responsibility of the Government to tackle such an issue was underlined;

(e) The Government of Nepal was encouraged to become party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

(f) The role of the donor community was critical in supporting civil society, peace transitions and capacity-building for child reintegration programmes;

(g) The commitments of the parties to the Comprehensive Peace Agreement to pay special attention to the needs of children and to release and reintegrate those associated with armed groups, as well as their cooperation with the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), were commended;

(h) The cooperation of the Government of Nepal with the Working Group and the Office of the Special Representative, and in particular its intention to invite the Special Representative to visit Nepal in May 2007, was welcomed;

(i) It was noted that the recommendations of the Working Group were expected to advance the peace process in Nepal;

(j) The members of the Working Group stressed that the case of children and armed conflict in Nepal was the first situation considered by the Working Group on the basis of annex II to the report of the Secretary-General submitted pursuant to resolution 1612 (2005) (S/2006/826) and that addressing it appropriately would enhance the work of the Working Group.

30. Further to the discussion, the experts were entrusted with negotiating the Group's draft recommendations to the Council as follow-up to the Secretary-General's report.

31. At that meeting, the Group also discussed the Secretary-General's report on children and armed conflict in Sri Lanka (S/2006/1006). Following a briefing by her Special Adviser, Mr. Allan Rock, on his recent visit to Sri Lanka, the Special Representative introduced the report of the Secretary-General and highlighted its main conclusions:

(a) The report reflected increased fighting and escalating levels of violence since mid-2006 in the conflict-affected areas of Sri Lanka since the breakdown of the ceasefire for the peace talks between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam;

(b) It provided information on recruitment of children, killings, denial of humanitarian access and attacks against schools and hospitals. It was disappointing to note that LTTE had never honoured its undertaking in 2003 to release the child soldiers in its ranks. More than 1,500 children under the age of 18 remained with LTTE and hundreds had been recruited recently. That was the reason for the Secretary-General's recommendations that the Security Council should adopt targeted measures against LTTE;

(c) It also documented an increasing pattern of abduction and recruitment of children in the eastern region of the country by the Karuna faction, a development which must be combated. The fact that such abduction and recruitment occurred in areas considered to be under Government control was all the more worrying, raising questions about the complicity of certain elements of the Sri Lankan security forces.

32. The Permanent Representative of Sri Lanka to the United Nations reiterated the commitment of his Government to cooperate fully with the international community and the Working Group with a view to putting an end to violations and

abuses against children in armed conflict. The Government of Sri Lanka reaffirmed its policy of zero tolerance for the recruitment and use of children in armed conflict. According to the report of the Secretary-General, LTTE was the main party responsible for serious violations and abuses against children in armed conflict, such as the unlawful recruitment, use and abduction of such children. The Permanent Representative reiterated the views of his Government on the implementation of the recommendations of the Secretary-General as set out in his aide-memoire to the Chairman of the Working Group. While questioning the reliability of sources, the Permanent Representative indicated that the Government of Sri Lanka would take the action necessary to investigate the allegations made against elements of its security forces regarding the recruitment and abduction of children by the Karuna faction. He also indicated that the Government was fully committed to the rehabilitation and reintegration of child combatants who escaped from armed groups, and had introduced a new legal regime in that regard.

33. The main elements of the subsequent exchange of views among members of the Working Group are summarized below:

(a) Members welcomed the submission of the report pursuant to Security Council resolution 1612 (2005) and stressed the need to consider the recommendations contained therein in accordance with the Working Group's own mandate;

(b) The Government of Sri Lanka was commended for its cooperation with the Working Group;

(c) Grave concern was expressed about the fact that the continuous pattern of abduction, recruitment and use of children by LTTE, as reported, inter alia, in the successive reports of the Secretary-General on children and armed conflict, was going on despite previous commitments made by LTTE in March 2003 under the action plan for children affected by war. Despite the commitment by LTTE to release all children within its ranks, only a few children had been released to date. Besides, the pattern of abduction, recruitment and use of children had increased over the recent period. Today LTTE remains the main party responsible for serious violations against children in armed conflict in Sri Lanka;

(d) Grave concern was also expressed about the development of a recent but increasing pattern of abduction and recruitment of children in the eastern region by the Karuna faction;

(e) Concern was expressed about the fact that the Karuna faction had abducted children in areas considered to be under Government control, raising questions about the complicity of certain elements of the security forces. In that regard, the Government's responsibility for bringing an end to impunity was highlighted, and the Government was encouraged to proceed, in conformity with its commitments, with its investigation of certain elements of the security forces regarding allegations of participation in child abduction.

34. Further to the discussion, the experts were entrusted with negotiating the Group's draft recommendations to the Council as follow-up to the Secretary-General's report.

35. The Deputy Executive Director of UNICEF introduced the Secretary-General's "horizontal note", drawing attention to the situation in Burundi, the Democratic Republic of the Congo and the Sudan:

(a) In Burundi, the United Nations teams had been allowed unhindered access to children at the new site to which they had been transferred, pursuant to the recommendations of the Working Group. However, their reintegration into the community continued to pose problems. The Government of Burundi did not have sufficient funds to launch the reintegration programme. Moreover, FNL continued to recruit children;

(b) In the Democratic Republic of the Congo, a fresh outbreak of fighting had displaced 20,000 civilians. In late 2006, a delegation comprising Government, FARDC and United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) representatives had met with the principal leaders of the armed groups that were still active. The ensuing negotiations had produced a disarmament, demobilization and reintegration plan. However, a financial crisis had prevented the Government from implementing that plan in the eastern part of the country. Lastly, many children's corpses had been found in three mass graves discovered in late 2006;

(c) In the Sudan, the violations committed in Darfur during that period included the killing and maiming of children, their recruitment and use as soldiers, grave sexual violence, attacks on schools and hospitals and denial of humanitarian access to children.

4. Eighth meeting (10 May 2007)

36. At its eighth meeting on 10 May 2007, the Working Group adopted its conclusions on the reports of the Secretary-General on children in armed conflict in Nepal and Sri Lanka. Those conclusions would be issued shortly under the Working Group's new document symbols system. However, since 11 May 2007, an advanced unofficial version of these conclusions has been available on the website of the Permanent Mission of France to the United Nations for information.

37. At that meeting, the Group also discussed the report of the Secretary-General on children and armed conflict in Uganda (S/2007/260).

38. The Special Representative introduced the report of the Secretary-General on children in armed conflict in Uganda and highlighted its main conclusions:

(a) About 25,000 children had been abducted since the onset of the conflict in northern Uganda. It was estimated that up to 2,000 women and children might still be held by the Lord's Resistance Army (LRA) within its ranks. Despite repeated pleas by various stakeholders, LRA has not released any women and children from its ranks;

(b) Children were present in the ranks of the armed forces, especially within the local defence units, which were de facto under the responsibility of the regular armed forces, although the 2005 Uganda People's Defence Forces Act prohibited the recruitment of children under the age of 18. The discussions on a plan of action for the demobilization of children that have been ongoing since 2006 must therefore be concluded as a matter of priority;

(c) Sexual violence perpetrated by UPDF and local defence unit soldiers, particularly against displaced persons, remained a serious problem;

(d) While the signing of a formal Cessation of Hostilities Agreement on 26 August 2006 was a step in the right direction, there was a need to ensure that the situation of children, including the release without any conditions of the children present in the ranks of LRA, remained a priority consideration under the peace process.

39. The Permanent Representative of Uganda welcomed the work of the Special Representative of the Secretary-General, her visit to his country in June 2006 and the activity of the Uganda Task Force on Monitoring and Reporting (UTFMR). He referred to the 2005 Uganda People's Defence Force Act that prohibited the recruitment of children under the age of 18 and pointed to the fact that no recruitment in the armed forces was possible without the consent of the chiefs of local communities. He acknowledged that poverty could have led parents to get their children "employed" in the armed forces by overstating their age. He stated that the conduct of independent on-site monitoring visits to military barracks should be considered with due respect for the sovereignty of Uganda. He declared that the Ugandan Government was committed to finalizing with the Task Force a plan of action pursuant to resolution 1612 (2005). He promised the cooperation of his Government to work on the basis of the Secretary-General's report on children and armed conflict in Uganda and expressed the wish that UPDF and LDU would not be mentioned in the annexes to the next annual report of the Secretary-General.

40. The main elements of the subsequent exchange of views among the Working Group were as follows:

(a) The members of the Working Group welcomed the submission of the Secretary-General's report and recommendations contained therein in accordance with Security Council resolution 1612 (2005);

(b) They also welcomed the cooperation of the Government of Uganda with the Working Group, the Special Representative of the Secretary-General and the Uganda Task Force on Monitoring and Reporting (UTFMR);

(c) Tribute was paid to the participation of Uganda in the "Free Children from War" conference held in Paris on 5 and 6 February 2007 at which the participants committed themselves to making every effort to uphold and apply the Paris Principles wherever possible in their political, diplomatic, humanitarian, technical assistance and funding roles, consistent with their international obligations;

(d) Some members reaffirmed that any children recruited and used by the Lord's Resistance Army must be immediately released. While noting the importance of the Juba Peace Talks, it was underlined that the release of children could not be made dependent upon the conclusion of a peace agreement. Members of the Working Group stressed that progress in the peace process on the ground would contribute to the improvement of the situation of children;

(e) A strong message ought to be passed to the LRA leaders. The wish was expressed for close cooperation between the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Envoy for areas affected by LRA;

(f) Bearing in mind the 2005 Uganda People's Defence Force Act that prohibited the recruitment of children under the age of 18, concern was expressed that children were present among the local defence units, which were de facto under the responsibility of UPDF;

(g) Members of the Working Group underlined that the case of children in armed conflict in Uganda was an Annex II situation considered by the Working Group on the basis of the Secretary-General's report (S/2006/826) and that addressing it appropriately would enhance the work of the Working Group.

41. At that meeting, the Group also discussed the report of the Secretary-General on children and armed conflict in Somalia (S/2007/259). The Special Representative introduced the report of the Secretary-General and highlighted its main conclusions.

(a) The situation of children in Somalia remained grave and precarious. Violations against children included killings and maiming, especially as a result of crossfire or the use of anti-personnel mines, their recruitment and use by armed groups, sexual violence and abduction;

(b) The weak presence of the international community in the field complicated its understanding of the situation. Humanitarian access by child protection actors was a significant challenge, in particular in central and southern Somalia, where the vast majority of grave child violations occurred;

(c) It was confirmed that both the Transitional Federal Government and Union of Islamic Courts affiliated armed groups recruited and used children in their forces.

42. Since it had not had sufficient time to review the report, the Permanent Mission of the Somali Republic did not participate in the meeting. However, it contributed through written comments to the subsequent discussions of the Working Group. In its comments, the Permanent Mission of the Somali Republic:

(a) Questioned the level of credibility of some information and sources mentioned in the report and insisted, in that context, on the need for an increased presence of United Nations organizations in Somalia;

(b) Stressed the need to restore, as a matter of priority, security and law and order in Somalia, inter alia through the implementation of its National Security and Stabilization Plan, and called upon the international community to step up assistance in that field;

(c) Underlined the responsibility of extremist groups in the perpetuation of violence and insecurity in Somalia and the need for all groups, including the remnants of the Union of Islamic Courts, to renounce violent methods and endorse democracy;

(d) Reiterated the commitment of the Transitional Federal Government to the welfare of children and human rights for all, and to fostering progress towards reconciliation through the convening of an all-inclusive National Reconciliation Conference.

43. The main elements of the subsequent exchange of views among the Working Group were as follows:

(a) The members of the Working Group welcomed the continued hard work of the Somalia Task Force on Monitoring and Reporting and its contribution to the Secretary-General's report in the light of the challenges it faced in the deteriorated security environment of Somalia and welcomed the recommendations contained in the report;

(b) Grave concern was expressed that recruitment and use, as well as abductions of children by several parties to the conflict, including Transitional Federal Government armed forces and Union of Islamic Court affiliated armed groups, had continued over the period covered by the report;

(c) Grave concern was also expressed about the large number of children killed and maimed as a result of fighting, widespread insecurity, availability of small arms, and the use of anti-personnel landmines by the belligerents, and in this context, the importance of the respect by all parties to the conflict of international humanitarian law and other applicable international standards and norms was stressed;

(d) Several members were also particularly worried by the fact that the situation of children had probably deteriorated since the end of the period covered by the report, due to the recrudescence of fighting and military operations, notably in April 2007;

(e) The participation at Ministerial level of the Transitional Government of Somalia in the "Free the Children from War" Conference held in Paris on 5 and 6 February 2007 was welcomed as a positive sign of its commitment to the protection of children under its jurisdiction in the context of armed conflict;

(f) The Transitional Federal Government of Somalia was encouraged to ratify the Convention on the rights of the Child and to become a party to the Optional Protocol to the Convention on the rights of the Child on the involvement of children in armed conflict;

(g) It was noted that the recommendations of the Working Group were developed in the context of expected progress in the national reconciliation Congress and process in Somalia, and that such progress was also key to the improvement of child protection and needed to be encouraged.

44. Further to the discussion, the experts were entrusted with negotiating the Group's draft recommendations to the Council as follow-up to the Secretary-General's report.

45. Mr. Daniel Toole, Director of the UNICEF Office of Emergency Programmes, then introduced the Secretary-General's "horizontal note", drawing attention to three crises, in Côte d'Ivoire, Nepal and the Sudan:

(a) Concerning Côte d'Ivoire, he noted that although the Ouagadougou Peace Agreement signed in March 2007 did not directly affect the situation of children in armed conflict, who were still involved in the militias, it contributed considerably to improving the situation of children in Côte d'Ivoire;

(b) He briefed the Group on positive developments in Nepal; the Government of Nepal had ratified the Optional Protocol to the Convention on the rights of the Child on the involvement of children in armed conflict. However, the

children had sill not been released from the PCN-M cantonment areas, their rights continued to be violated and they were still not receiving reintegration assistance;

(c) Turning to the Sudan, he noted that the situation was getting worse in the eastern part of that country where access restrictions had severely constrained monitoring and reporting activities. Security had deteriorated in Darfur. The Janjaweed, the Sudan Liberation Movement/Army and other armed groups had killed 36 children in January. Many of the victims of continuing LRA attacks were children. While the Sudanese Armed Forces continued to deny that there were children in their ranks, the Sudan People's Liberation Army had acknowledged the presence of children.

46. The Chairman informed members of the Group that the Chadian authorities had confirmed their willingness to cooperate with the Working Group and signalled that they were prepared to participate in the consideration by the Working Group of the next report of the Secretary-General on children and armed conflict in Chad. The Chairman of the Working Group pledged to persevere in his efforts to convince the authorities of other countries listed in annex II of the report of the Secretary-General on children and armed conflict (S/2006/826) to give positive consideration to cooperating with the Working Group in the near future.

IV. Final observations

47. The Working Group devoted its first year to adopting all the decisions necessary for its effective operation and has over the past year been resolutely focusing on its core activity under the mandate conferred on it by the Security Council: the consideration of reports of the Secretary-General on specific situations prepared in connection with the monitoring and reporting mechanism provided for in resolution 1612 (2005), and the adoption, based on that resolution, of recommendations and concrete actions for enhancing the protection of children in armed conflict.

48. Despite the challenges inherent to the establishment of any new mechanism, the Group was able to adopt substantive conclusions — which are expected to gradually contribute to improving the situation of children in the field — on all the situations brought before it. It should be stressed that the Working Group engaged in constructive dialogue with each of the countries concerned, as demonstrated by their active participation in the meetings of the Group and their broadly positive response to the Group's conclusions.

49. The Working Group must continue these efforts with a view to considering all the situations of conflict where children are recruited or used by armed forces or armed groups, in conformity with the mandate given by the Security Council.

50. At its next meeting, the Group will start taking up anew situations it has already considered once and on which it had adopted conclusions. The meeting would afford an opportunity to evaluate the follow-up to these conclusions, assess their impact, enhance them or consider new avenues if necessary.

51. It is still too early to draw firm conclusions on the impact in the field of the work of the Security Council Working Group on children and armed conflict. However, recent developments in Côte d'Ivoire, where several hundred child soldiers were released before the signing of the peace agreement, the recent signing

of action plans by some parties in the Sudan, the commitments made by several Governments last February at the Paris "Free Children from War" conference, or directly in the context of meetings of the Working Group, are encouraging signs which must spur us to persevere along the path set out by Security Council resolution 1612 (2005).

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Agenda item 13
The situation in the Middle East

Security Council
Sixty-second year

Identical letters dated 11 July 2007 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations from 1 to 7 July 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Nawaf **Salam**
Permanent Representative

07-42482 (E) 180707 180707

Annex to the identical letters dated 11 July 2007 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Subject: Israeli violations, acts of aggression and activities from 1 to 7 July 2007, inclusive

Air violations

On 1 July 2007, between 0839 hours and 1130 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Sidon heading in a northerly direction towards Juniyah, circled between Juniyah and Beirut, then headed south and departed over the sea off al-Naqurah.

Between 1201 hours and 1810 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah, circled over areas in the south and then departed over 'Alma al-Sha'b.

Between 1710 hours and 2237 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Sidon heading in an easterly direction, circled over the town of Riyaq and its environs and then departed over 'Alma al-Sha'b.

On 2 July 2007 between 1304 hours and 1700 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea, circled over areas of the south and then departed over al-Naqurah.

On 3 July 2007 between 1152 hours and 1510 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah, circled over areas of the south and then departed over 'Alma al-Sha'b.

Between 1240 hours and 1605 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Zahrani, circled over areas of the south and then departed over al-Naqurah.

Between 1510 hours and 1800 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over 'Alma al-Sha'b, circled over areas of the south and then departed over 'Alma al-Sha'b.

On 4 July 2007 between 0805 hours and 1145 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah, circled over areas of the south and then departed over al-Naqurah.

Between 1110 hours and 1248 hours an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off 'Adlun, circled over areas of the south and then departed over Kafr Killa.

On 5 July 2007 between 1054 hours and 1200 hours, two enemy Israeli reconnaissance aircraft violated Lebanese airspace over Dayr Mimas, circled over all regions of Lebanon and then departed over 'Alma al-Sha'b.

Between 1310 hours and 1645 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre, circled over areas of the south and then departed over 'Alma al-Sha'b.

On 6 July 2007 between 0908 hours and 1210 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Bayyadhah, circled over areas of the south and then departed over al-Naqurah.

Between 1032 hours and 1115 hours, four enemy Israeli reconnaissance aircraft violated Lebanese airspace over the occupied Shab'a farmlands, circled over the south, Shouf, and western Bekaa and then departed over the sea off al-Naqurah.

Between 1158 hours and 1505 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in an easterly direction, circled over areas of the south and then departed over al-Naqurah.

Sea violations

None.

Acts of aggression in the field

On 5 July 2007 between 1420 hours and 1500 hours, from the Radar outpost inside the occupied Shab'a farmlands, Israeli enemy forces fired a number of rounds from medium-calibre machine guns towards the area surrounding the outpost.

Israeli activities

On 4 July 2007 the Ghanaian unit reported that at 0830 hours five elements from the enemy Israeli army bearing M16 rifles approached when the gate was opened at border point B30 (west of 'Aita al-Sha'b). They crossed the technical fence at the gate for a period of four minutes (because of a suspicious object, according to the claim of the enemy), then returned and closed the gate without crossing the Blue Line while the Ghanaian patrol was present in the area.

United Nations S/2007/430

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Draft resolution

The Security Council,

Recalling its previous resolutions, in particular resolution 1739 (2007), and the statements of its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the Agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 ("the Ouagadougou political Agreement", S/2007/144), and that it has supported the appointment of Mr. Guillaume Soro as Prime Minister,

Paying tribute to the Chairperson of the Economic Community of West African States (ECOWAS) President Blaise Compaoré for his continued efforts of facilitation of the inter-Ivorian direct dialogue that enabled in particular the signing of the Ouagadougou political Agreement, and to other leaders of the region, *commending and encouraging* the continued efforts of the African Union and ECOWAS to promote peace and stability in Côte d'Ivoire, and *reiterating* its full support for them,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, in particular the attack committed on 29 June 2007 in Bouaké against the Prime Minister of the Republic of Côte d'Ivoire, Mr. Guillaume Soro, that resulted in several deaths, and *stressing* that the perpetrators of such criminal acts must be brought to justice,

Having taken note of the report of the Secretary-General dated 14 May 2007 (S/2007/275),

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire,

Recalling its resolutions 1460 (2003) and 1612 (2005) on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties in the armed conflict of Côte d'Ivoire (S/2007/93),

Recalling also its resolution 1325 (2000) on Women, Peace and Security,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew the mandates of the United Nations Operation in Côte d'Ivoire (UNOCI) and of the French forces which support it until 15 January 2008, in order to support the organization in Côte d'Ivoire of free, open, fair and transparent elections within the time frame set out in the Ouagadougou political Agreement, and *expresses* its readiness to renew them further as appropriate;

2. *Endorses* the recommendations contained in paragraphs 42 to 72 and 75 to 83 of the report of the Secretary-General dated 14 May 2007, which adapt UNOCI's role to the new phase of the peace process in Côte d'Ivoire as set out in the Ouagadougou political Agreement, and, accordingly, *requests* UNOCI, within its existing resources, to support the full implementation of the Ouagadougou political Agreement, including by supporting the integrated command centre, the restoration of State administration throughout the country, the identification and voter registration processes, the electoral process, persons affected by the conflict, efforts to create a positive political environment, protection and promotion of human rights, and the economic recovery process of Côte d'Ivoire;

3. *Calls upon* all concerned parties to ensure that the protection of women and children is addressed in the implementation of the Ouagadougou political Agreement as well as the post-conflict reconstruction and recovery phases, including continued monitoring and reporting of the situation of women and children;

4. *Also invites* the signatories of the Ouagadougou political Agreement to take the necessary steps to protect vulnerable civilian populations, including by guaranteeing the voluntary return, reinstallation, reintegration and security of displaced persons, with the support of the United Nations system, and to fulfil in this regard their commitments in accordance with the Ouagadougou political Agreement and their obligations under international humanitarian law;

5. *Expresses* its intention to review by 15 October 2007 the mandates of UNOCI and the French forces which support it, as well as the level of troops of UNOCI, in the light of the progress achieved in the implementation of the key steps of the peace process, and *requests* the Secretary-General to provide to it a report on these key steps before this date;

6. *Decides* to terminate the mandate of the High Representative for the Elections, *decides* therefore that the Special Representative of the Secretary-General in Côte d'Ivoire shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and *requests* the Secretary-General to take all the necessary steps so that the Special Representative has at his disposal a support cell providing him all the appropriate assistance to fulfil this task;

7. *Commends* the High Representative for the Elections, Mr. Gérard Stoudmann, whose tireless efforts permitted progress in the implementation of the peace process and the preparation of the elections;

8. *Recalls* the importance of the provisions of the Ouagadougou political Agreement, including paragraph 8.1, and *urges* the Ivorian political forces to rely on the mediation by the Facilitator, for any major difficulty concerning the electoral process;

9. *Supports* the establishment, as agreed by the parties at the meeting of the evaluation and monitoring committee of 11 May 2007 and the Facilitator, of an international consultative organ including the Special Representative of the Secretary-General, the resident coordinator of the United Nations system, and the representatives of the World Bank, the International Monetary Fund, the European Union, the African Union, the African Development Bank, ECOWAS and France, to accompany the Ivorian political forces and the Facilitator in the implementation of the Ouagadougou political Agreement, and *notes* that this organ shall participate in the meetings of the evaluation and monitoring committee, as an observer, and may be consulted at any time by the Facilitator;

10. *Encourages* the Facilitator, President Blaise Compaoré, to continue to support the process to settle the crisis in Côte d'Ivoire, *welcomes* his decision to appoint a special representative in Abidjan to follow up on the Ouagadougou political Agreement, and *requests* UNOCI to assist him in the conduct of the facilitation, including by helping him, as appropriate and upon his request, to carry out his arbitration role according to the provisions of paragraph 8.1 of the Ouagadougou political Agreement;

11. *Decides* to remain actively seized of the matter.

United Nations S/2007/431

Security Council

Distr.: General
16 July 2007

Original: English

Identical letters dated 16 July 2007 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith a letter that represents the position of the Syrian Arab Republic on the fourth report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) (see annex).

I would greatly appreciate it if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Dr. Bashar **Ja'afari**
Ambassador
Permanent Representative

07-42563 (E) 160707 160707

Annex to the identical letters dated 16 July 2007 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and to the President of the Security Council

[Original: Arabic]

1. The Syrian Arab Republic calls on the Security Council to assume its responsibilities and adopt the necessary measures with regard to Israel in view of its continuing violations of Security Council resolution 1701 (2006) on an almost daily basis, as officially documented by the United Nations on the basis of the reports of the United Nations Interim Force in Lebanon (UNIFIL) and the letters from Lebanon addressed to the United Nations. Israel has not denied these violations but, rather, has confirmed that it is continuing to carry them out, with clear disregard for its obligations under Security Council resolution 1701 (2006).

2. The Syrian Arab Republic reaffirms the invalidity of the claims and allegations made in both the most recent Larsen report and the latter's briefing to the Security Council on the implementation of Security Council resolution 1559 (2004) and, also, of the information contained in the most recent periodic report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) with regard to what the report terms "breaches of the arms embargo." The Syrian Arab Republic is surprised at the acceptance by the United Nations of these fabricated claims put forward mainly by Israeli intelligence sources which, themselves, have subsequently repeated and touted these claims as coming from the Secretary-General and the United Nations, knowing that the Secretary-General had indicated in paragraph 38 of his report that the Israeli Government "has not provided any further specific evidence in support of these claims." In this context, the Syrian Arab Republic wishes to remind the Secretary-General and members of the Security Council of the fact that Israel's accusation that Syria is smuggling weapons is baseless; Israel is an enemy of Syria and occupies part of its territories in contravention of international law and scores of relevant Security Council resolutions. Moreover, Israel's claim that it possesses evidence is, in itself, flagrant evidence that Israel is in contravention of Security Council resolution 1701 (2006), as the claim is an implicit admission that Israel is violating Lebanese airspace at the Syrian borders, which in this case enables it to photograph any vegetable or goods truck and tout the pictures as being of trucks carrying weapons.

3. In this connection, the Syrian Arab Republic points to the statements made by the Lebanese Deputy Prime Minister, the Minister for Defence and the Commander of the Lebanese Armed Forces, in which they denied that the army leadership was conveying information on the smuggling of arms to Palestinian factions across the Syrian-Lebanese borders to the Lebanese Government. This was the second statement made by the Minister for Defence, who had previously denied categorically that even "a gnat" was crossing the border. The Report of the Lebanon Independent Border Assessment Team supported the veracity of this position in its paragraph 45, which stated that the Lebanese authorities "did not present the Team with reports on seizure of weapons or ammunition at any of the four official border crossing points since the adoption of resolution 1701 (2006)." Moreover, it stated in paragraph 120 that "all seizures were of traditional smuggled goods, such as diesel fuel, clothes, cement or food. No seizures of weapons or explosives were made.

Although a few seizures of illegal weapons have been reported, according to the border security agencies none were in direct connection with a border-crossing activity and none has been documented en route from across the Syrian border. In all cases known to the Team, the claim has been that they were internal weapons transports between different locations inside Lebanon."

4. The Syrian Arab Republic would like to express its surprise at the discrepancies contained in the report of the Secretary-General on the implementation of Security Council resolution 1701 (2006). In paragraphs 14, 16, 56, 58 and 64, the report is critical of Israel's continued, almost daily violations of Lebanon's sovereignty that occurred under the gaze of UNIFIL. Those violations numbered as many as 32 in a single day. Nonetheless, the Secretary-General welcomes the words of appreciation expressed to him and other United Nations personnel by a number of senior Israeli political and military officials, and their acknowledgement of the new strategic realities created by the deployment of UNIFIL in Lebanon (paragraphs 56 and 62). However, what is most regrettable is the inability of the Security Council to take a single measure that would deter Israel and put an end to its encroachments and provocations, and its inability to address the root cause of the conflict in the region, namely the Israeli occupation of Arab territories.

5. The Syrian Arabic Republic would like to clarify once again that the high-level contacts between Lebanon and the Syrian Arab Republic regarding border control have not ceased. In fact, during the period 6 December 2005 to 30 April 2007, there were 12 meetings between Syrian and Lebanese border-control officials. Thus we are surprised that, in paragraph 48, the report states that "no movement has been reported by the Government of the Syrian Arab Republic on reactivating the Lebanese-Syrian border committee". It should be noted that we provided the Secretary-General with a detailed listing of those meetings and that we will continue to inform him and the Security Council of future meetings.

6. The Syrian Arab Republic reaffirms that the demarcation of borders is a bilateral sovereign matter that should be undertaken by the Syrian and Lebanese Governments.

7. The Syrian Arab Republic would like to point out that with regard to Shab'a Farms, the report of the Secretary-General was not impartial, objective or comprehensive in its conclusion that the Syrian position on this matter contradicts Security Council resolutions 1680 (2006) and 1701 (2006). The Secretary-General ignores the reason for the Syrian position in that regard, which we conveyed to him, namely the continued occupation by Israel of the Syrian Golan. The Security Council, in paragraph 18 of its resolution 1701 (2006), stressed the importance of, and the need to achieve, a just and comprehensive peace in the Middle East on the basis of all relevant Security Council resolutions.

8. The Syrian Arab Republic recalls once again that it has doubled the number of border guards on the Syrian side and that it has confiscated weapons that had been smuggled from Lebanon into the Syrian Arab Republic and from Iraq to Lebanon via the Syrian Arab Republic. We informed the Secretary-General and the President of the Security Council of that in our identical letters numbered 169 of 4 May 2007 and during his meeting with the Permanent Representative of the Syrian Arab Republic. This was confirmed by the Secretary-General in paragraph 39 of his report. We would like to point out, in that regard, that the Syrian Arab Republic has

requested of a number of European States to provide it with technical equipment for monitoring its borders and that that request was noted in that same paragraph of the Secretary-General's report. However, the Syrian Arab Republic has yet to receive an affirmative reply to its request from those States.

9. The Syrian Arab Republic would like to clarify that the Palestinian presence in Lebanon is governed by Lebanese-Palestinian agreements that pre-date the adoption of Security Council resolution 1701 (2006) and to which the Syrian Arab Republic has no relation. The term "green borders" is contrived and has not been agreed upon by the Syrian Arab Republic and Lebanon.

10. The Syrian Arab Republic re-emphasizes that it strongly condemns the attack by suspicious elements on the Spanish contingent of UNIFIL.

11. The Syrian Arab Republic emphasizes the importance of the fact that the Security Council, when carrying out its mandate to maintain international peace and security, should not deal with the region's problems selectively, and stresses the need to achieve a comprehensive and just peace in the Middle East on the basis of all relevant Security Council resolutions, in particular resolutions 242 (1967), 338 (1973) and 497 (1981), the terms of reference of the Madrid Peace Conference and the Arab Peace Initiative.

United Nations S/2007/432

Security Council

Distr.: General
16 July 2007

Original: English

Letter dated 16 July 2007 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith a letter from H.E. Nouri al-Maliki, Prime Minister of the Republic of Iraq addressed to the President of the Security Council dated 24 June 2007, in which the Government of Iraq expressed its views on the compensation imposed on Iraq after the invasion of Kuwait by the former Iraqi regime. I have further the honour to request that the letter be circulated to the members of the Security Council and distributed as a document of the Security Council (see annex).

(*Signed*) T. Hamid **al-Bayati**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

07-42617 (E) 180707 180707

Annex to the letter dated 16 July 2007 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council

[Original: Arabic]

It is well known that the idea that Iraq should pay compensation was introduced as a result of the reckless and unjustified actions of the previous dictatorial regime. The Iraqi people, naturally, have borne the consequences, even though they had no part in those actions. As a result, they have suffered for many years, and continue to suffer, paying dearly with their many hopes and aspirations and with the sustenance and health of their children. This has happened despite the fact that the relevant Security Council resolutions all stressed that the basic needs of the Iraqi people should not be encroached upon. However, it has become apparent that the contrary is true; the basic needs of the Iraqi people have been encroached upon and they, not the regime, have been victimized by the obligation to pay compensation all these years.

The philosophy and the policy of the new Iraqi Government are founded on peaceful coexistence, good neighbourliness, respect for mutual interests, non-interference in internal affairs, resolution of international disputes by peaceful means and respect for basic human rights and needs. One of the fruits of this policy, which the new Iraqi Government has announced and followed consistently ever since, has been the initiative by many States, including the States members of the Paris Club, to reduce Iraq's debts by 80 per cent. In so doing, they demonstrated their understanding of the extent of the destruction that befell Iraq as a result of the aforementioned policies of the previous regime. This is why my Government, in its contacts and consultations with various States, strives to have those debts reduced or cancelled, including any compensation which Iraq is obligated to pay and for which the people of Iraq are not responsible. In view of the previous generosity of the Iraqi people at a time when Iraq was prospering, it would be fitting for them to see that the countries of the world are now extending them a helping hand. I should like to recall, for example, that Iraq was one of the first countries to extend aid to the European countries after the Second World War as part of the Marshall Plan, and that it would be capable of doing the same should its situation improve in the future.

The Government of the Republic of Iraq, recalling the Security Council resolutions stipulating that 5 per cent of the proceeds derived from sale of petroleum, petroleum products or natural gas should be deposited into the Compensation Fund; noting that the payments made to the Fund have increased as a result of the increase in the price of oil and in Iraq's production capacity; and stressing, as provided in paragraph 21 of Security Council resolution 1483 (2003), that, unless an internationally recognized, representative government of Iraq and the Governing Council of the United Nations Compensation Commission, in the exercise of its authority over methods of ensuring that payments are made into the Compensation Fund, decide otherwise, this requirement shall be binding on a properly constituted, internationally recognized, representative government of Iraq and any successor thereto, therefore proposes that Iraq and the Commission should arrive at an understanding on the establishment of a new and just compensation mechanism, particularly since Iraq has already paid a considerable amount as compensation for the Kuwait war, totalling $22,081,193,340 as of the end of April 2007, and continues to pay such compensation. The time has come for the

Governing Council to make an objective presentation to the Security Council on the need to temporarily suspend the obligation to make payments at the aforementioned rate, in order that a new mechanism for negotiating with the relevant States still owed compensation by the Fund can be established and a settlement reached in the matter, along the lines of the debt reductions granted them in accordance with the principles of the Paris Club. The continued payment by Iraq, at this critical juncture, of $200 to $250 million every quarter to the Fund is a burden that it cannot bear in view of its numerous basic needs as well as its reconstruction efforts.

The Government of the Republic of Iraq, in putting this matter before the Security Council, appeals to the Council to take the necessary steps, in coordination with the Commission, to ensure the temporary suspension of the obligation to make payments, or to reduce those payments to an amount that Iraq can bear, and further requests that the matter be discussed either at an international conference bringing together Iraq and the relevant States, or on a bilateral basis between Iraq and each relevant State.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Nuri Kamel **al-Maliki**
Prime Minister

24 June 2007

United Nations A/61/1003–S/2007/433

General Assembly
Security Council

Distr.: General
16 July 2007

Original: English

General Assembly
Sixty-first session
Agenda items 13 and 14

The situation in the Middle East

Question of Palestine

Security Council
Sixty-second year

Letter dated 16 July 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

In my capacity as Acting Chair of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to enclose herewith the statement by the Coordinating Bureau of the Non-Aligned Movement on the situation in the Occupied Palestinian Territory, including East Jerusalem, adopted on Saturday, 14 July 2007 (see annex).

Furthermore, I request you kindly to circulate the above-mentioned document as a document of the General Assembly, under agenda items 13 and 14, and of the Security Council.

(*Signed*) Rodolfo **Benítez Versón**
Counsellor
Chargé d'affaires a.i.
Permanent Mission of Cuba to the United Nations
Acting Chair of the Coordinating Bureau
of the Non-Aligned Movement

07-42665 (E) 190707

Annex to the letter dated 16 July 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

Statement by the Coordinating Bureau of the Non-Aligned Movement on the situation in the Occupied Palestinian Territory, including East Jerusalem

The Coordinating Bureau of the Non-Aligned Movement (NAM) in New York has been monitoring the recent developments and the continuing deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem. NAM expresses its grave concern about the dire security, humanitarian, socio-economic and political situation prevailing in the Occupied Palestinian Territory, including East Jerusalem, and the consequent rise in suffering and hardships for the Palestinian people.

NAM condemns the prolonged Israeli military occupation of the Palestinian Territory since 1967 and expresses grave concern over the distressing developments in the recent period. For four decades, Israel, the occupying Power, has been unrelentingly violating international law, including international humanitarian and human rights law, in its actions in the Occupied Palestinian Territory, including East Jerusalem. During this time, the occupying Power has been committing grave human rights violations against the Palestinian people, including reported war crimes. Moreover, for four decades, the occupying Power has carried out deliberate and unlawful policies and practices aimed at altering the demographic composition, character and nature of the Palestinian land and at de facto annexing that land, particularly via the implementation of its illegal colonial settlement policy and, since 2003, its illegal construction of a wall in the West Bank, including in and around East Jerusalem. In addition, the occupying Power continues to impose a humiliating and discriminatory network of checkpoints throughout the Occupied Palestinian Territory, to impose closures, to seal off the Gaza Strip, and to carry out intense military raids and incursions in Palestinian population centres, causing extensive loss of life and injury to Palestinian civilians and widespread destruction of property.

NAM condemns all such illegal actions by Israel, the occupying Power, and calls for their immediate cessation. Furthermore, NAM believes that these illegal Israeli actions, including ongoing military attacks, have seriously undermined the functioning of the Palestinian Authority and have undoubtedly contributed to the growing polarization in the Palestinian society.

NAM also condemns the recent criminal actions that were carried out in the Gaza Strip. NAM calls for urgent efforts to be undertaken in order to avoid the complete disintegration of the foundations of a future sovereign, viable, independent Palestinian State and to rehabilitate and develop Palestinian institutions.

Further, NAM calls for the restoration of the situation in the Gaza Strip to that which existed prior to the recent events and for measures to be taken to preserve the territorial unity and integrity of the Palestinian Territory, including East Jerusalem. In this regard, NAM stresses the necessity for the mobilization of Palestinian capabilities to end the occupation and to achieve the Palestinian national goal. NAM calls upon the Palestinian leadership, the leaders of all factions and all Palestinians

to unite in support of the President of the Palestinian Authority, Mahmoud Abbas, and his Government and all democratically elected Palestinian institutions and to resolve their political differences by peaceful means. In this regard, NAM supports national dialogue among Palestinians to achieve national reconciliation. Further in this regard, NAM reaffirms its position that the Palestine Liberation Organization remains the sole and legitimate representative of the Palestinian people and remains an essential party to any negotiations aimed at resolving the conflict.

NAM calls upon the parties to urgently resume peace process negotiations on all tracks on the basis of international law, relevant United Nations resolutions, the principle of land for peace and the Arab Peace Initiative in order to comprehensively resolve the Israeli-Palestinian conflict and the Arab-Israeli conflict as a whole. In this regard, NAM reaffirms its support for all peaceful efforts aimed at ending Israel's 40-year occupation of the Palestinian land and the achievement of a final and peaceful settlement to the question of Palestine with the realization of the inalienable rights of the Palestinian people in their independent State of Palestine, with East Jerusalem as its capital, and a just solution to the plight of the Palestine refugees. The member States of the NAM express their continuing and firm support for a peaceful settlement and call upon the international community to exert concrete and positive steps towards this goal.

United Nations S/2007/434

Security Council

Distr.: General
16 July 2007

Original: English

Letter dated 13 July 2007 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to attach herewith the statement made by the chief of the Panmunjom Mission of the Korean People's Army on 13 July 2007 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) **Pak** Gil Yon
Ambassador
Permanent Representative

07-42675 (E) 180707

Annex to the letter dated 13 July 2007 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

Statement made by the chief of the Panmunjom Mission of the Korean People's Army

The anti-Democratic People's Republic of Korea fanatics of the United States are now raising more brigandish assertions as they have found themselves in a tight corner, left with no pretext to justify their moves to stifle the Democratic People's Republic of Korea they have so far persistently pursued over the nuclear issue.

They are letting loose brazen-faced sophism that it is necessary to increase pressure upon the Democratic People's Republic of Korea in order to force it completely to dismantle its nuclear programme, absurdly asserting that a series of undertakings related to the nuclear issue on the Korean Peninsula is now under way as a result of the United States policy to pressurize it.

This discloses, after all, the intention of the United States to invariably pursue the policy to pressurize and stifle the Democratic People's Republic of Korea till it has achieved its strategic goal to perpetuate its forces' presence in south Korea and the Korean division and bring down the socialist system in the Democratic People's Republic of Korea.

In this context, the Korean People's Army is compelled to clarify its stand on the vicious moves of the anti-Democratic People's Republic of Korea fanatics of the United States.

The aim sought by the United States in maintaining the armistice for more than half a century since the realization of truce was to bring down the Democratic People's Republic of Korea by way of strangulating it.

As the United States found it hard to conquer the Democratic People's Republic of Korea by force of arms 54 years ago, it resorted to the act of deceiving the Korean and other peace-loving people of the world to achieve its aim though it put its signature to the Armistice Agreement.

Just 12 days after the Armistice Agreement took effect the United States concluded the "Mutual Defence Pact" with south Korea, diametrically running counter to paragraph 60 of the Agreement which calls for the withdrawal of all foreign forces from south Korea and a peaceful settlement of the Korean question. It thus justified the United States forces' presence in south Korea and made toothless the above-said paragraph of the Armistice Agreement which was the ultimate object of the conclusion of the Agreement.

By doing so, the United States removed the obstacles lying in the way of achieving its strategic design on Korea and paved the way for turning south Korea into a nuclear base in the shortest possible time. The nuclear issue of the Democratic People's Republic of Korea about which the United States has so far trumpeted like a thief crying "Stop the thief!" is, in essence, the nuclear issue of the United States.

The United States has systematically introduced huge quantities of modern combat equipment as well as various types of nuclear weapons exceeding a thousand into south Korea after unilaterally declaring the abrogation of

paragraph 13 d of the Armistice Agreement on 21 June 1957, turning south Korea into the world's biggest nuclear base. The Korean people have since been exposed to the incessant nuclear threat of the United States and have consistently demanded the pullback of United States nuclear weapons from south Korea and the denuclearization of the Korean Peninsula.

History goes to prove that the Democratic People's Republic of Korea is the very advocator of the denuclearization of the Peninsula.

It is ridiculous, indeed, for the United States to talk about the nuclear threat of the Democratic People's Republic of Korea and the denuclearization of the Peninsula despite those hard facts.

The United States has recently worked out and pushed forward a new nuclear plan to annually produce 125 smaller nuclear devices with tremendous explosive power which can be used in any area and any time, in Korea to be more specific. This fact offers a clear testimony showing where is the root cause of the nuclear issue on the Korean Peninsula and why is it so difficult to settle the issue. The United States is a belligerent party hostile to the Democratic People's Republic of Korea and the two countries are still technically at war.

Under this situation nobody can deny that the confrontation between the Democratic People's Republic of Korea and the United States means a life and death one. It is the undeniable and legitimate right of the Democratic People's Republic of Korea to have in place all the necessary self-defensive means to cope with the threat and blackmail of the United States in order to protect its right to existence. This is a fair and clear reason which even a mere child can easily understand.

If the United States keeps pressurizing the Democratic People's Republic of Korea under the pretext of the nuclear issue and refuses to discontinue the large-scale war manoeuvres it stages as an annual event in south Korea and the massive arms build-up as preparations for a pre-emptive strike at the Democratic People's Republic of Korea, its army and people will have no option but to exert utmost efforts for further rounding off the means for retaliatory strike strong enough to cope with the United States nuclear attack and pre-emptive strike in order to protect its dignity, sovereignty and right to existence.

This is the unshakeable will and firm determination of the army and the people of the Democratic People's Republic of Korea. In that case, it is as clear as noonday that neither the implementation of the February 13 agreement nor success of the six-party talks will be possible.

Such a complicated and grave situation is now prevailing on the Korean Peninsula and it is getting tenser not only because of the persistent United States hostile policy towards the Democratic People's Republic of Korea but because of the servile attitude of the United Nations Security Council which zealously patronizes and supports it.

It is a hard fact well known to the world that the Security Council has historically conspired with the United States in pursuing the hostile policy of perpetuating the division of Korea against its reunification.

As early as in the 1950s the United Nations Security Council allowed the United States to abuse the United Nations flag, so that it could cover up its armed invasion of the Democratic People's Republic of Korea and its illegal occupation of

south Korea. And the United States is still committing all sorts of crimes against the Korean people under the same flag. For this reason, the Korean people have a long pent-up grudge against the Security Council.

The Security Council is obliged to observe principle and strictly disallow double standards in discharging its commitment to ensure global peace and security. It, however, actively joined the United States in the dastardly racket of putting pressure upon the Democratic People's Republic of Korea which had been compelled to take self-defensive measures to cope with the United States nuclear threat, while applying sanctions against it. This lashed the Korean people into extreme fury.

It is shocking and deplorable, indeed, for the United Nations Security Council to protect the interests of big countries at the sacrifice of small countries on the basis of jungle law though it is obliged to adhere to the principle of impartiality.

It is by no means fortuitous that many people are sceptical about the reason for the continued existence of the Security Council.

It is the sincere hope of the Democratic People's Republic of Korea that the Security Council will take a principled and objective and impartial approach in its activities to firmly ensure the global peace and security at a time when the world is facing such complicated and difficult problems as now.

The Korean People's Army side urges both the United States and the United Nations, a signatory to the Armistice Agreement, to remain true to their commitments under the Agreement till a new peacekeeping mechanism is built on the Korean Peninsula.

Though many core paragraphs of the Armistice Agreement have been played down and have lost their validity, the Korean People's Army side proposes having talks between the Democratic People's Republic of Korea and United States military officials to be attended by a United Nations representative, too, in any place and at any time to be agreed upon between both sides for the purpose of discussing the issues related to ensuring the peace and security on the Korean Peninsula, including paragraph 60 of the Armistice Agreement as required by paragraph 17 of the Armistice Agreement which calls on the Democratic People's Republic of Korea and the United States to respect the letter and the spirit of all of the provisions of the Agreement. It is easy to miss a chance, but difficult to get one.

United Nations S/2007/435

Security Council

Distr.: General
17 July 2007

Original: English

Letter dated 16 July 2007 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

On instructions from my Government I am attaching herewith an agreement on accountability and reconciliation between the Republic of Uganda and the Lord's Resistance Army/Movement, which was signed in Juba, Sudan, on 29 June 2007.

I should be grateful if this letter and its annex were circulated as a document of the Security Council.

(*Signed*) Francis K. **Butagira**
Ambassador
Permanent Representative

BEST COPY AVAILABLE

07-42981S (E) 230707

Annex to the letter dated 16 July 2007 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

AGREEMENT ON ACCOUNTABILITY AND RECONCILIATION

BETWEEN THE GOVERNMENT OF THE REPUBLIC OF UGANDA AND THE LORD'S RESISTANCE ARMY/MOVEMENT
JUBA, SUDAN

This Agreement, between the Government of the Republic of Uganda (The Government) and the Lord's Resistance Army/Movement (LRA/M) (herein referred to as the Parties), witnesseth that:

PREAMBLE

WHEREAS THE PARTIES:

HAVING BEEN engaged in protracted negotiations in Juba, Southern Sudan, in order to find just, peaceful and lasting solutions to the long-running conflict, and to promote reconciliation and restore harmony and tranquillity within the affected communities and in Uganda generally;

CONSCIOUS of the serious crimes, human rights violations and adverse socio-economic and political impacts of the conflict, and the need to honour the suffering of victims by promoting lasting peace with justice;

COMMITTED to preventing impunity and promoting redress in accordance with the Constitution and International obligations and recalling, in this connection, the requirements of the Rome Statute of the International Criminal Court (ICC) and in particular the principle of complementarity;

DRIVEN by the need for adopting appropriate justice mechanisms, including customary processes of accountability, that would resolve the conflict while promoting reconciliation and convinced that this Agreement is a sound basis for achieving that purpose;

GUIDED BY the Objective Principle of the Constitution, which directs that there shall be established and nurtured institutions and procedures for the resolution of conflicts fairly and peacefully; and further recalling the Constitutional duty on the courts of Uganda to promote reconciliation.

NOW THEREFORE THE PARTIES AGREE as follows:

1. DEFINITIONS

Unless the context suggests otherwise, the following words and phrases shall have the meaning assigned thereto:

"Ailuc" refers to the traditional rituals performed by the Iteso to reconcile parties formerly in conflict, after full accountability.

"Alternative justice mechanisms" refers to justice mechanisms not currently administered in the formal courts established under the Constitution.

"Constitution" means the Constitution of the Republic of Uganda.

"Culo Kwor" refers to the compensation to atone for homicide, as practiced in Acholi and Lango cultures, and to any other forms of reparation, after full accountability.

"Gender" refers to the two sexes, men and women, within the context of society.

"Kayo Cuk" refers to the traditional rituals performed by the Langi to reconcile parties formerly in conflict, after full accountability.

"Mato Oput" refers to the traditional rituals performed by the Acholi to reconcile parties formerly in conflict, after full accountability.

"Reconciliation" refers to the process of restoring broken relationships and re-establishing harmony.

"The Conflict" means the conflict between the Parties in Northern and North-eastern Uganda, including its impacts in the neighbouring countries.

"Tonu ci Koka" refers to the traditional rituals performed by the Madi to reconcile parties formerly in conflict, after full accountability;

"Victims" means persons who individually or collectively have adversely suffered harm as a consequence of crimes and human rights violations committed during the conflict.

2. COMMITMENT TO ACCOUNTABILITY AND RECONCILIATION

2.1. The Parties shall promote national legal arrangements, consisting of formal and non formal institutions and measures for ensuring justice and reconciliation with respect to the conflict.

2.2. The accountability processes stipulated in this Agreement shall relate to the period of the conflict. However, this clause shall not prevent the consideration and analysis of any relevant matter before this period, or the promotion of reconciliation with respect to events that occurred before this period.

2.3. The Parties believe that a comprehensive, independent and impartial analysis of the history and manifestations of the conflict, especially the human rights violations and crimes committed during the course of the conflict, is an essential ingredient for attaining reconciliation at all levels.

2.4. The Parties agree that at all stages of the development and implementation of the principles and mechanisms of this Agreement, the widest possible consultations shall be promoted and undertaken in order to receive the views and concerns of all stakeholders, and to ensure the widest national ownership of the accountability and reconciliation processes. Consultations shall extend to state institutions, civil society, academia, community leaders, traditional and religious leaders, and victims.

2.5. The Parties undertake to honour and respect, at all times, all the terms of this Agreement which shall be implemented in the utmost good faith and shall adopt effective measures for monitoring and verifying the obligations assumed by the Parties under this Agreement.

3. PRINCIPLES OF GENERAL APPLICATION

3.1. Traditional justice mechanisms, such as *Culo Kwor, Mato Oput, Kayo Cuk, Ailuc* and *Tonu ci Koka* and others as practiced in the communities affected by the conflict, shal be promoted, with necessary modifications, as a central part of the framework for accountability and reconciliation.

Conduct of Proceedings

3.2. The Parties recognise that any meaningful accountability proceedings should, in the context of recovery from the conflict, promote reconciliation and encourage individuals to take personal responsibility for their conduct.

3.3. With respect to any proceedings under this Agreement, the right of the individual to a fair hearing and due process, as guaranteed by the Constitution, shall at all times be protected. In particular, in the determination of civil rights and obligations or any criminal charge, a person shall be entitled to a fair, speedy and public hearing before an independent and impartial court or tribunal established by law.

3.4. In the conduct of accountability and reconciliation processes, measures shall be taken to ensure the safety and privacy of witnesses. Witnesses shall be protected from intimidation or persecution on account of their testimony. Child witnesses and victims of sexual crimes shall be given particular protection during proceedings.

Cooperation within proceedings

3.5. The Parties shall promote procedures and approaches to enable individuals to cooperate with formal criminal or civil investigations, processes and proceedings. Cooperation may include the making of confessions, disclosures and provision of information on relevant matters. The application of any cooperation procedures shall not prejudice the rights of cooperating individuals.

3.6. Provisions may be made for the recognition of confessions or other forms of cooperation to be recognised for purposes of sentencing or sanctions.

Legal representation

3.7. Any person appearing before a formal proceeding shall be entitled to appear in person or to be represented at that person's expense by a lawyer of his or her choice. Victims participating in proceedings shall be entitled to be legally represented.

3.8. Provision shall be made for individuals facing serious criminal charges or allegations of serious human rights violations and for victims participating in such proceedings, who cannot afford representation, to be afforded legal representation at the expense of the State.

Finality and effect of proceedings

3.9. In order to achieve finality of legal processes accountability and reconciliation procedures shall address the full extent of the offending conduct attributed to an individual. Legislation may stipulate the time within which accountability and reconciliation mechanisms should be undertaken.

3.10. Where a person has already been subjected to proceedings or exempted from liability for any crime or civil acts or omissions, or has been subjected to accountability or reconciliation proceedings for any conduct in the course of the conflict, that person shall not be subjected to any other proceedings with respect to that conduct.

4. ACCOUNTABILITY

4.1. Formal criminal and civil justice measures shall be applied to any individual who is alleged to have committed serious crimes or human rights violations in the course of the conflict. Provided that, state actors shall be subjected to existing criminal justice processes and not to special justice processes under this Agreement.

4.2. Prosecutions and other formal accountability proceedings shall be based upon systematic, independent and impartial investigations.

4.3. The choice of forum for the adjudication of any particular case shall depend, amongst other considerations, on the nature and gravity of the offending conduct and the role of the alleged perpetrator in that conduct.

4.4. For purposes of this Agreement, accountability mechanisms shall be implemented through the adapted legal framework in Uganda.

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5. LEGAL AND INSTITUTIONAL FRAMEWORK

5.1. The Parties affirm that Uganda has institutions and mechanisms, customs and usages as provided for and recognised under national laws, capable of addressing the crimes and human rights violations committed during the conflict. The Parties also recognise that modifications may be required within the national legal system to ensure a more effective and integrated justice and accountability response.

5.2. The Parties therefore acknowledge the need for an overarching justice framework that will provide for the exercise of formal criminal jurisdiction, and for the adoption and recognition of complementary alternative justice mechanisms.

5.3. Alternative justice mechanisms shall promote reconciliation and shall include traditional justice processes, alternative sentences, reparations, and any other formal institutions or mechanisms.

5.4. Insofar as practicable, accountability and reconciliation processes shall be promoted through existing national institutions and mechanisms, with necessary modifications. The Parties shall consult on the need to introduce any additional institutions or mechanisms for the implementation of this Agreement.

5.5. The Parties consider that the Uganda Human Rights Commission and the Uganda Amnesty Commission are capable of implementing relevant aspects of this Agreement.

Legislative and policy changes

5.6. The Government will introduce any necessary legislation, policies and procedures to establish the framework for addressing accountability and reconciliation and shall introduce amendments to any existing law in order to promote the principles in this Agreement.

6. FORMAL JUSTICE PROCESSES

6.1. Formal courts provided for under the Constitution shall exercise jurisdiction over individuals who are alleged to bear particular responsibility for the most serious crimes, especially crimes amounting to international crimes, during the course of the conflict.

6.2. Formal courts and tribunals established by law shall adjudicate allegations of gross human rights violations arising from the conflict.

Sentences and Sanctions

6.3. Legislation shall introduce a regime of alternative penalties and sanctions which shall apply, and replace existing penalties, with respect to serious crimes and human rights violations committed by non-state actors in the course of the conflict.

6.4. Alternative penalties and sanctions shall, as relevant: reflect the gravity of the crimes or violations; promote reconciliation between individuals and within communities; promote the rehabilitation of offenders; take into account an individual's admissions or other cooperation with proceedings; and, require perpetrators to make reparations to victims.

7. RECONCILIATION

7.1. The Parties shall promote appropriate reconciliation mechanisms to address issues arising from within or outside Uganda with respect to the conflict.

7.2. The Parties shall promote collective as well as individual acts and processes of reconciliation shall be promoted at all levels.

7.3. Truth-seeking and truth-telling processes and mechanisms shall be promoted.

8. VICTIMS

8.1. The Parties agree that it is essential to acknowledge and address the suffering of victims, paying attention to the most vulnerable groups, and to promote and facilitate their right to contribute to society.

8.2. The Government shall promote the effective and meaningful participation of victims in accountability and reconciliation proceedings, consistently with the rights of the other parties in the proceedings. Victims shall be informed of the processes and any decisions affecting their interests.

8.3. Victims have the right of access to relevant information about their experiences and to remember and commemorate past events affecting them.

8.4. In the implementation of accountability and reconciliation mechanisms, the dignity, privacy and security of victims shall be respected and protected.

9. REPARATIONS

9.1. Reparations may include a range of measures such as: rehabilitation; restitution; compensation; guarantees of non-recurrence and other symbolic measures such as apologies, memorials and commemorations. Priority shall be given to members of vulnerable groups.

9.2. The Parties agree that collective as well as individual reparations should be made to victims through mechanisms to be adopted by the Parties upon further consultation.

9.3. Reparations, which may be ordered to be paid to a victim as part of penalties and sanctions in accountability proceedings, may be paid out of resources identified for that purpose.

10. GENDER

In the implementation of this Agreement, a gender-sensitive approach shall be promoted and in particular, implementers of this Agreement shall strive to prevent and eliminate any gender inequalities that may arise.

11. WOMEN AND GIRLS

In the implementation of this Agreement it is agreed to:

(i) Recognise and address the special needs of women and girls.

(ii) Ensure that the experiences, views and concerns of women and girls are recognised and taken into account.

(iii) Protect the dignity, privacy and security of women and girls.

(iv) Encourage and facilitate the participation of women and girls in the processes for implementing this agreement.

12. CHILDREN

In the implementation of this Agreement it is agreed to:

(i) Recognise and address the special needs of children and adopt child-sensitive approaches.

(ii) Recognise and consider the experiences, views and concerns of children.

(iii) Protect the dignity, privacy and security of children in any accountability and reconciliation proceedings.

(iv) Ensure that children are not subjected to criminal justice proceedings, but may participate, as appropriate, in reconciliation processes.

(v) Promote appropriate reparations for children.

(vi) Encourage and facilitate the participation of children in the processes for implementing this Agreement.

13. RESOURCES

The Government will avail and solicit resources for the effective implementation of this Agreement.

14. OBLIGATIONS AND UNDERTAKINGS OF THE PARTIES

The Parties:

14.1. Expeditiously consult upon and develop proposals for mechanisms for implementing these principles.

14.2. Ensure that any accountability and reconciliation issues arising in any other agreement between themselves are consistent and integrated with the provisions of this Agreement.

The Government:

14.3. Adopt an appropriate policy framework for implementing the terms of this Agreement.

14.4. Introduce any amendments to the Amnesty Act or the Uganda Human Rights Act in order to bring it into conformity with the principles of this Agreement.

14.5. Undertake any necessary representations or legal proceedings nationally or internationally, to implement the principles of this Agreement.

14.6. Address conscientiously the question of the ICC arrest warrants relating to the leaders of the LRA/M.

14.7. Remove the LRA/M from the list of Terrorist Organisations under the Anti-Terrorism Act of Uganda upon the LRA/M abandoning rebellion, ceasing fire, and submitting its members to the process of Disarmament, Demobilisation, and Reintegration.

14.8. Make representations to any state or institution which has proscribed the LRA/M to take steps to remove the LRA/M or its members from such list.

The LRA/M:

14.9. The LRA/M shall assume obligations and enjoy rights pursuant to this Agreement.

14.10. The LRA/M shall actively promote the principles of this Agreement.

15. ADOPTION OF MECHANISMS FOR IMPLEMENTING THIS AGREEMENT

15.1. The Parties shall negotiate and adopt an annexure to this Agreement which shall set out elaborated principles and mechanisms for the implementation of this Agreement. The annexure shall form a part of this Agreement.

15.2. The Parties may agree and the Mediator will provide additional guidance on the matters for the Parties to consider and consult upon in the interim period, in developing proposals for mechanisms for implementing this Agreement.

16. COMMENCEMENT

This Agreement shall take effect upon signature.

IN WITNESS WHEREOF the duly authorized representatives of the parties have hereunto appended their respective signatures at Juba, South Sudan, this 29th day of June 2007.

Dr. S.P. Ragoda
Permanent Secretary
Ministry of Internal Affairs
Acting Head of the Government
of Uganda Delegation

Mr Martin Ojul
Leader of the LRA/M Delegation

WITNESSED BY:

29/6/2007

H.E Lt. Gen. Riek Machar Teny-Dhurgon (PhD)
Vice President, Government of Southern Sudan and
Mediator of the Government of Uganda - Lord's Resistance Army/Movement
Peace Talks

H.E Japheth R Getugi
For the Government of the Republic of Kenya

H.E Ali I Siwa
For the Government of the United Republic of Tanzania